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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

5-28-03

Attorney Docket No. 072982/0219

Applicant: Yushi NIWA  
Title: TRAVEL INFORMATION DISTRIBUTION SYSTEM  
Serial No.: 09/832,926  
Filed: April 12, 2001  
Examiner: Unknown  
Art Unit: 2166

RECEIVED  
MAY 13 2003  
GROUP 3600

**INFORMATION DISCLOSURE STATEMENT  
UNDER 37 CFR §1.56 and 37 CFR §1.97**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

Submitted herewith on Form PTO-SB/08 is a listing of documents known to Applicant in order to comply with Applicant's duty of disclosure pursuant to 37 CFR 1.56. A copy of each listed document is being submitted to comply with the provisions of 37 CFR 1.97 and 1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicant does not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a prima facie prior art reference against the claims of the present application.

### **TIMING OF THE DISCLOSURE**

The instant Information Disclosure Statement is believed to be filed in accordance with 37 C.F.R. 1.97(b), prior to the mailing date of a first Office Action on the merits (first scenario). If that is not the case, such as in a second scenario in which a first Office Action on the merits has been mailed before the filing of the instant Information Disclosure Statement, then either a certification or fee is required, and a certification is provided below. If neither of the first or second scenarios is the case, such as if a final Office Action or a notice of allowance has been mailed by the PTO (third scenario), then both a certification and fee are required, and in that case a certification is provided below and also the PTO is authorized to obtain the necessary fee to have the instant IDS considered, from Foley & Lardner Deposit Account #19-0741.

### **RELEVANCE OF EACH DOCUMENT**

A translation of a portion of a Chinese Office Action that issued January 31, 2003 with respect to a counterpart Chinese patent application is provided below.

“(I)

1. Claim 1 relates to a travel information distribution system. Reference 1 discloses a travel plan preparing system, and specifically discloses the following technical features (see the Abstract; page 2, last paragraph; page 6, paragraphs 4-7; and Fig. 1): preparing a travel plan in accordance with such travel plan information as time, position and other relevant information necessary for the plan. Claim 1 differs from Reference 1 only in that the former also has a data distributor. This distinguishing feature is however disclosed by Reference 2 (see Column 2, Lines 17-51; and Column 3, Line 55—Column 4, Line 45). Further, it serves the same purpose in Reference 2 and the present invention. Therefore, Reference 2 gives the suggestion of applying this feature to Reference 1 to solve the technical problem of the invention. That is, it is obvious to those skilled in the art that the technical solution of claim 1 can be obtained on the basis of Reference 1 in combination with Reference 2. Therefore, claim 1 does not possess any prominent substantive features or notable progress over References 1 and 2, and thus lacks inventiveness under Article 22, Paragraph 3 of the Chinese Patent Law.

2. The additional technical features of dependent claims 5-7 are common knowledge in the art. Therefore, when claim 1 lacks inventiveness, claims 5-7 which refer to it do not possess any prominent substantive features or notable progress, and do not possess inventiveness either under Article 22, Paragraph 3 of the Chinese Patent Law.
3. Independent claim 8 relates to a travel information distribution system. Reference 1 discloses a travel plan preparing system, and specifically discloses the following technical features (see the Abstract; claim 1; page 2, second-last paragraph; page 6, paragraphs 4-7; page 8, paragraph 4—page 11, paragraph 3; and Fig. 1): (a) preparing a travel plan in accordance with such travel plan information as time, location and other relevant information necessary for the plan (which corresponds to the functions of the schedule table preparator in claim 8); (b) overabundant amount/underabundant amount determining means (corresponding to the tolerance calculator in claim 8) for comparing the planned travel time with the desired travel time so as to calculate the overabundant or underabundant amount with respect to the desired travel time and the planned travel time; and (c) plan changing means (corresponding to the arrival date corrector in claim 8) for changing at least one parameter in the planned travel time or the desired travel time in accordance with the overabundant or underabundant amount. Claim 8 differs from Reference 1 only in that the former also has a data distributor. This distinguishing feature is however disclosed by Reference 2 (see Column 2, Lines 17-51; and Column 3, Line 55—Column 4, Line 45). Further, it serves the same purpose in Reference 2 and claim 8. Therefore, Reference 2 gives the suggestion of applying this feature to Reference 1 to solve the technical problem of the invention. That is, it is obvious to those skilled in the art that the technical solution of claim 1 can be obtained on the basis of Reference 1 in combination with Reference 2 and common knowledge. Therefore, claim 8 does not possess any prominent substantive features or notable progress over References 1 and 2, and thus lacks inventiveness under Article 22, Paragraph 3 of the Chinese Patent Law.
4. The additional technical features of dependent claims 15-17 are common knowledge in the art. Therefore, when claim 8 lacks inventiveness, claims 15-17 which refer to it do not possess any prominent substantive features or notable progress, and do not possess inventiveness either under Article 22, Paragraph 3 of the Chinese Patent Law.

5. Independent claim 18 relates to a travel information distribution system. Reference 1 discloses a travel plan preparing system, and specifically discloses the following technical features (see the Abstract; page 2, last paragraph; page 6, paragraphs 4-7; and Fig. 1): preparing a travel plan in accordance with such travel plan information as time, location and other relevant information necessary for the plan. Claim 18 differs from Reference 1 only in that it also has (a) a data distributor, (b) a position information detector, and (c) a destination position information comparator. However, feature (a) is disclosed by Reference 2 (see Column 2, Lines 17-51; and Column 3, Line 55—Column 4, Line 45); features (b) and (c) are disclosed by Reference 3 (see its Abstract and Fig. 1). Further, these distinguishing features serve the same purpose in References 2-3 and the present invention. Therefore, References 2 and 3 give the suggestion of applying these features to Reference 1 to solve the technical problem of the invention. That is to say, it is obvious to those skilled in the art that the technical solution of claim 18 can be obtained on the basis of Reference 1 in combination with References 2 and 3. Therefore, claim 18 does not possess any prominent substantive features or notable progress over References 1, 2 and 3, and thus lacks inventiveness under Article 22, Paragraph 3 of the Chinese Patent Law.
6. The additional technical features of dependent claims 24-26 are common knowledge in the art. Therefore, when claim 18 lacks inventiveness, claims 24-26 which refer to it do not possess any prominent substantive features or notable progress, and do not possess inventiveness either under Article 22, Paragraph 3 of the Chinese Patent Law.

(II)

The following defects exist in the Description:

1. There is no subtitle before each part of the Description, which does not conform to Rule 18, Paragraph 2 of the Implementing Regulations of the Chinese Patent Law.
2. The expression "as shown in Fig. 3" on page 31, line 22 of the English Description should be changed to "as shown in Fig. 13". According to the description on page 45, last paragraph of the English Description, the "multiplier" should not be placed within the broken line box.

For the reasons mentioned above, the present application is not patentable as it is now. The applicant is requested to submit the amended Claims and Description in accordance with the above comments within the time limit designated herein. Further, corresponding amendments should be made to the Description in accordance with the amended Claims. It is further to be noted that any amendment shall not go beyond the disclosure of the original Description and Claims under Article 33 of the Chinese Patent Law. Otherwise, the application will be rejected."

Applicant's statements regarding the Chinese Office Action are based on a partial translation that Applicant's representative obtained. These statements should in no way be considered as an agreement by Applicant with, or an admission of, what is asserted in the Chinese Office Action.

Applicant respectfully request that the listed documents be considered by the Examiner and formally be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

Respectfully submitted,

12 May, 2003  
Date

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Substitute for form 1449B/PTO <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> Date Submitted: May 12, 2003 (use as many sheets as necessary)		<b>Complete if Known</b>	
Application Number		09/832,926	
Filing Date		04/12/2001	
First Named Inventor		Yushi NIWA	
Group Art Unit		2166	
Examiner Name		Unknown	
Attorney Docket Number		072982-0219	

## U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code <sup>2</sup> (if known)			
	A1	5,966,068		WICKS et al.	10/12/1999	
	A2	6,119,095		MORITA	09/12/2000	

## FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Name of Patentee or Applicant of Cited Documents	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Office <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)				
	A3	CN	1164072			11/05/1997		X
	A4	JP	10-185609			07/14/1998		X

## NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>6</sup>

Examiner Signature

Date Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, PO Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, PO Box 1450, Alexandria, Virginia 22313-1450.